

State of Arizona  
Senate  
Forty-eighth Legislature  
Second Regular Session  
2008

# **SENATE BILL 1507**

AN ACT

AMENDING SECTION 28-8202, ARIZONA REVISED STATUTES; RELATING TO AVIATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:  
2       Section 1. Section 28-8202, Arizona Revised Statutes, is amended to  
3 read:

4           28-8202. State aviation fund: report

5       A. A state aviation fund is established consisting of the following:

6           1. Aviation fuel taxes or motor vehicle fuel taxes deposited by the  
7 department.

8           2. Monies deposited by the department as a result of the sale of an  
9 abandoned aircraft as defined in section 28-8243 or seized aircraft.

10          3. The amount of flight property tax that the department of revenue  
11 has deposited pursuant to section 42-14255.

12          4. Registration fees, license taxes and penalties collected pursuant  
13 to article 4 of this chapter.

14          5. Monies received by the department from the operation of airports  
15 under this article and articles 2 through 5 of this chapter.

16          B. On notice from the department, the state treasurer shall invest and  
17 divest monies in the state aviation fund as provided by section 35-313, and  
18 monies earned from investment shall be credited to the fund.

19          C. The department shall administer monies that are appropriated by the  
20 legislature from the state aviation fund.

21          D. The board shall distribute monies appropriated to the department  
22 from the state aviation fund for planning, design, development, acquisition  
23 of interests in land, construction and improvement of publicly owned and  
24 operated airport facilities in counties and incorporated cities and towns **AND**  
25 **ON INDIAN NATION LAND**. The board shall distribute these monies according to  
26 the needs for these facilities as determined by the board. No more than ten  
27 per cent of the **total AVERAGE ANNUAL aviation fund REVENUE THAT THE FUND**  
28 **RECEIVED FOR THE PAST THREE YEARS** may be awarded to any one airport in **GRANTS**  
29 **OR LOANS IN** any fiscal year. **AFTER AND IN ADDITION TO THE INITIAL GRANTS, IN**  
30 **THE SAME FISCAL YEAR THE BOARD MAY AWARD TO ANY ONE AIRPORT AN ADDITIONAL**  
31 **GRANT OR LOAN OF UP TO FIVE PER CENT OF THE AVERAGE ANNUAL REVENUE THAT THE**  
32 **FUND RECEIVED FOR THE PAST THREE YEARS.** For **THE** purposes of this subsection,  
33 "publicly owned and operated airport facility" means an airport and  
34 appurtenant facilities in which one or more agencies, departments or  
35 instrumentalities of this state or a city, town or county of this state **OR**  
36 **INDIAN NATION LOCATED IN THIS STATE** holds an interest in the land on which  
37 the airport is located that is clear of any reversionary interest, lien,  
38 easement, lease or other encumbrance that might preclude or interfere with  
39 the possession, use or control of the land for public airport purposes for a  
40 minimum period of twenty years.

41           Sec. 2. Emergency

42          This act is an emergency measure that is necessary to preserve the  
43 public peace, health or safety and is operative immediately as provided by  
44 law.